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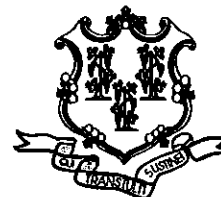


STATE OF CONNECTICUT DEPARTMENT OF CHILDREN AND FAMILIES

Public Hearing Testimony

Judiciary Committee

March 23, 2012



S.B. No. 417 AN ACT CONCERNING JUVENILE MATTERS AND PERMANENT GUARDIANSHIPS

The Department of Children and Families **supports** S.B. No. 417 - An Act Concerning Juvenile Matters and Permanent Guardianships. This bill revises a number of statutory provisions regarding juvenile matters, including the establishment of a process for determining competency of a child or youth and the creation of permanent legal guardianships.

Section 3 of this bill establishes a process for determining competency of a child or youth in a juvenile delinquency or Family With Service Needs matter and assisting a child or youth to attain competency when necessary. Currently, juveniles are subject to the procedures set forth in section 54-56d of the General Statutes that are applied to adult criminal defendants. Unfortunately, these adult procedures do not work well for younger children who are appearing before the Superior Court for Juvenile Matters. This bill creates a separate procedure to test for and restore competency for children and youth appearing in juvenile matters that is age and developmentally appropriate. It also establishes a more appropriate process for treating those children and youth who are found by the court to be incompetent and unable to be restored to competency. While we believe that this work can be accomplished within existing resources, we intend to work with the Judicial Branch to ascertain the anticipated volume of restorations. In addition, it provides additional protection for children and youth in that it gives the Juvenile Court additional jurisdiction to secure the intervention of DCF services for those families who require it and who have not previously come to our attention.

Sections 8 through 14 of this bill establish permanent legal guardianships, which provide an alternative to termination of parental rights and adoption, in those cases where a child may be placed with a relative or family friend who is willing to become a permanent placement for the child, but may not be willing to adopt. In addition, because it avoids the stigma of terminating parental rights, it may encourage parents who might otherwise contest a termination proceeding to willingly consent to a transfer of guardianship, and thus prevent a trial that may adversely impact the parents and child. This, ultimately, will reduce DCF case management and court oversight of cases, while providing important stability and permanency for the children and youth involved.